



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Brines et al.

Confirmation No.:

5123

Serial No.:

09/717,053

Art Unit:

1647

Filed:

November 21, 2000

Examiner:

DeBerry, Regina M.

For:

METHODS FOR PREVENTING OR

Attorney Docket No:

10165-011-999

TREATING NEUROMUSCULAR OR MUSCULAR CONDITIONS BY PERIPHERALLY ADMINISTERED

ERYTHROPOIETIN

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R.§ 1.56 and § 1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to references FL-FM listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicants." Copies of references FL-FM are submitted herewith.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

09/15/2004 NMEKONEN 00000082 503013 09717053

02 FC:1806

180.00 DA

Pursuant to 37 C.F.R. §1.97(b), since this information disclosure statement is being filed after the mailing date of a first Office Action on the merits, but before the mailing of a final Office Action or Notice of Allowance, pursuant to 37 C.F.R. § 1.97(c), a fee of \$180.00 under 37 C.F.R. § 1.17(p) is believed due. Please charge the required fee to Jones Day deposit account no. 50-3013. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date:

September 9, 2004

Λ Ω

30,742

Laura A. Coruzzi

(Reg. No.)

Bv

46,0

Eileen E. Falvey

(Reg. No.)

JONES DAY

222 East 41st Street

New York, New York 10017

(212) 326-3939

STPE								Sheet 1 C	of 1
SEP 0 9 2014 ED SEP 0 9 2014 E					ATTY DOCKET NO. 10165-011-999 APPLICANT Brines et al.		APPLICATION NO 09/717,053		
					FILING DATE November 21, 2000		GROUP 1647		
			U.S. PA	TENT DOCU	MENTS				
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
			FOREIGN	PATENT DO	CUMENTS				
		DOCUMENT NUMBER	DATE		COUNTRY	CLASS	SUBCLASS	TRANSL	NO
								112	
									<u> </u>
		OTHER REFERE	NCES (Incli	uding Author, T	Title, Date, Pertinent	Pages, I	Etc.)		
	FL	Spivak and Hogans, 1989, "The in vivo metabolism of recombinant human erythropoietin in the rat", Blood 73:90-99							
	FM	Wojchowski and Caslake, 1989, "Biotinylated recombinant human erythropoietins: bioactivity and utility as receptor ligand", Blood 74:952-958							
		<u> </u>				<u> </u>			
EXAMINER					ATE CONSIDERED				
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.									